



# NEVADA WORKERS' COMPENSATION CHRONICLE

Department of Business & Industry  
A Publication of the Workers' Compensation Section

Division of Industrial Relations Fall Edition  
(September 2024 — November 2024)

This newsletter is not intended to provide legal advice to the reader. Legal opinions or interpretations of statutes and regulations referenced should be sought from legal professionals.

## 12th Annual Nevada Workers' Compensation Educational Conference

## Panel to Review Rating Evaluations

Save the dates for the upcoming Twelfth Annual Nevada Workers' Compensation Educational Conference, Embracing Change and Transformation!

[Registration](#) is now open! This highly anticipated event will take place at the Tuscany Suites Hotel on **Thursday, September 12th, and Friday, September 13th, 2024.**

Organized by the State of Nevada Workers' Compensation Section in partnership with the International Workers' Compensation Foundation (IWCF), this conference has been tailored to cover a diverse range of topics based on the valuable feedback received from attendees.

### Get the Credits You Need for 2024!

The Conference is approved for up to **10 hours** of continuing education credits.

- Nevada attorney CLE (including 1-hour Legal Ethics)
- CDMS & CCM CEUs for rehabilitation providers
- SHRM CEUs for human resources professionals

Application is pending for up to 10 hours of CEUs for insurance adjusters and producers.

The Conference sessions on disability rating meet the requirement under Nevada 616C.021(4)(d) to successfully complete course biennially that is approved by the Administrator on rating disabilities, in accordance with the American Medical Association's Guide. Disability sessions not sold separately.



You can also register the day of! Check our [website](#) for conference updates!

The initial meeting of the 2024-2025 DIR WCS Panel to Review Rating Evaluations was held on Thursday, July 25, 2024, with quarterly meetings to follow. The members of the panel assist in reviewing rating evaluations of permanent partial disabilities to ensure that the evaluations comply with the standards set forth in the AMA 5th Edition Guide and the regulations of the Division. ([NAC 616C.023](#))

These reviews will provide valuable information in offering feedback to the members of the WCS Rating Panel of Physicians and Chiropractors.

A special thanks to the panel members for their participation and guidance.

## INSIDE THIS ISSUE

<b>COLA Update/ Rating Panel Reminders</b>	<b>2</b>
<b>FY25 Actuarial Annuity Table/FY25 Maximum Compensation Guidelines</b>	<b>2</b>
<b>Reporting Reminders</b>	<b>3</b>
<b>CARDS Corner</b>	<b>4</b>
<b>Claims by the Numbers</b>	<b>5</b>

*State of Nevada  
will observe  
the following Holidays:*

Nevada Day, Friday October 25  
Veterans Day, Monday November 11  
Thanksgiving, Thursday November 28  
Family Day, Friday November 29

## WCS Training

The State of Nevada Workers' Compensation Section (WCS) has opened [registration](#) for upcoming **WCS Basic Orientation** class.

Schedule for classes will be conducted quarterly. The next class will be held on **Friday, November 8, 2024, at 10:00 am** online, via Webex only.

### COLA Update

Requests for reimbursement for 2023 COLA expenses have been processed by WCS staff. WCS notified reimbursement requestors by email of the status of their request and the approved amount(s) on a per claim basis.

The Department of Business and Industry Fiscal Unit issued invoices to all insurers for the annual COLA Assessment on May 28, 2024, which were due by July 30, 2024. Insurers failing or refusing to pay the invoice for the COLA Assessment, or any assessment, are subject to fines, penalties, collection fees and possible revocation of the insurer's certificate of authority to transact insurance in Nevada.

Reimbursement payments to insurers for approved 2023 COLA expenses will be issued by DIR by December 31, 2024. WCS will notify the Assessment Contact by email the total amount of the approved reimbursement payment that will be issued to each eligible insurer.

For more information regarding the COLA Reimbursement Process, please visit our information page on the WCS web site at [COLA Info - PTD and Survivors Benefits Claims](#).

Please direct assessment inquiries to [WCAssessment@business.nv.gov](mailto:WCAssessment@business.nv.gov) and COLA reimbursement inquiries to [COLAS@dir.nv.gov](mailto:COLAS@dir.nv.gov).



### Rating Panel Reminders

Changes to your rating panel profile must be submitted in writing to [medpanels@dir.nv.gov](mailto:medpanels@dir.nv.gov). Required updates include but are not limited to, name of practice, address(es), email address, telephone number(s), licensing/board status and/or documentation of completing required certifications and continuing education.

The Division of Industrial Relations, Workers' Compensation Section will now be tracking compliance with continuing education required under [NAC 616C.021\(4\)\(d\)](#). After the date of designation as a rating physician or chiropractic physician, successful completion of an approved course for continuing education is required every two years. The ABIME AMA Guides 5th Edition course- <https://abime.org/> and AAEME Guides 5th Edition course - <https://wpirs.com/> , meet the continuing education requirement.

In addition to the ABIME and AAEME courses listed above, Dr. Cichon's sessions being presented at the 12<sup>th</sup> Annual Workers' Compensation Educational Conference on Thursday, September 12, 2024, have been approved for meeting the biennial educational requirement.

- 12:45 PM-2:00 PM: **PTSD: Assessment, Diagnosis, Treatment, and Implication of Industrial vs. Non-Industrial Psychiatric Conditions**
- 2:15 PM-3:30 PM: **Head Injuries: Assessment, Diagnosis, Treatment and Comorbidities**

Please direct questions regarding the Rating and Treating Panel of Physicians and Chiropractic Physician to: [medpanels@dir.nv.gov](mailto:medpanels@dir.nv.gov).

### Notification of Changes in DIR Audit Unit Practices Regarding Subsequent Fines

Effective June 28, 2024, the Audit Unit has implemented a fine structure under NRS 616D.120(2)(b) using a graduated fine schedule.

Under NRS 616D.120(2)(b), if the Administrator determines that an insurer, organization for managed care, health care provider, third-party administrator, employer or professional employer organization has failed to comply with any provision of this chapter or [chapter 616A](#), [616B](#), [616C](#) or [617](#) of NRS, or any regulation adopted pursuant thereto, the Administrator may take any of the following actions:

(b) Impose an administrative fine for:

- (1) A second or subsequent violation for which a notice of correction has been issued pursuant to paragraph (a); or
- (2) Any other violation of this chapter or [chapter 616A](#), [616B](#), [616C](#) or [617](#) of NRS, or any regulation adopted pursuant thereto, for which a notice of correction may not be issued pursuant to paragraph (a).

The fine imposed must not be greater than \$375 for an initial violation, or more than \$3,000 for any second or subsequent violation.

When a new Administrative Fine is being imposed, the Audit Unit will review prior Administrative Fines which have exceeded the appeal timeframe (30 days from date of issuance) or have completed the appeal process, to determine the appropriate amount for the new Administrative Fine.



#### Initial and Subsequent Violation Schedule:

1. Initial violations will be assessed at \$375.00 per violation.
2. Second offenses will be assessed at \$750.00 per violation.
3. Third offenses will be assessed at \$1,500.00 per violation.
4. Fourth and all subsequent offenses will be assessed at \$3,000.00 per violation.

### FY25 Actuarial Annuity Table

Victoria Carreón, Administrator of the Division of Industrial Relations, adopted the Actuarial Annuity Table for fiscal year 2025, effective July 1, 2024. The table has been posted on the WCS web site and can be found under "What's Hot!" on the WCS home page.

**\*\*NEW\*\* Actuarial Annuity Table Adopted — Effective on 7/1/24**

Pursuant to NRS 616C.495(5), the table must be reviewed annually by a consulting actuary.

### FY25 Maximum Compensation Guidelines

The state's maximum average monthly wage memo for fiscal year 2025 (FY25), effective July 1, 2024, has been posted on the WCS web site. The FY25 maximum monthly disability compensation is \$5,630.43, an increase from last year's figure.

The FY25 Maximum Compensation Guidelines memo can be found under "What's Hot!" on the WCS home page. The link provides a chart with Maximum Compensation rates going back to FY 1975.

**\*\*NEW\*\* FY25 Maximum Compensation Guidelines - Effective 7/1/2024**

# Reporting Reminders

Insurers and TPAs are required to submit certain reports in the *Claims and Regulatory Data System (CARDS)* web portal and other reports outside of the portal, via email or to the National Council on Compensation Insurance (NCCI), our proof of coverage data collection vendor.

For a comprehensive list of reporting requirements for workers' compensation insurers, see the [Nevada Reporting Requirements Table](#).

### PROOF OF COVERAGE UPDATE:

Per NRS 616B.461 and NAC 616B.100-148, **private carriers** writing Nevada workers' compensation policies must report proof of coverage data to [National Council on Compensation Insurance \(NCCI\)](#).

→ Starting 7/1/24, "Claims Administrator FEIN" is required to be reported on all policies with effective dates 9/1/24 or later.

→ Insurers are reminded that nonrenewal transactions are required to be reported for Nevada policies.

See [NCCI Circular - POC-NV-2024-01 - Proof of Coverage \(POC\)](#) for more information.

### RECENTLY DUE:

→ **The 2024 Annual Insurer Information Form (CARDS Web Portal):** This data call was emailed to Insurers on 5/15/24 and was due 6/14/24. In addition, Insurers are always required to maintain their Insurer Information Form in CARDS within 30 days of changes.

### CURRENTLY DUE:

→ The **FY24 WCS Workers' Compensation Claims Activity Report or Statement of Inactivity** pursuant to NRS 616B.009 and NAC 616B.016 was due 9/2/24. If you haven't submitted the report yet, it's not too late – visit our [Insurer-TPA Reporting](#) page on our website for the forms and instructions. Submit all reports to [wcsra@dir.nv.gov](mailto:wcsra@dir.nv.gov).

### COMING SOON:

→ Starting in 2025, WCS audits of insurers will include a review of the insurer's compliance with reporting requirements due during the audit period, including any annual Claims Activity reports, Occupational Disease Claim Reports, Insurer Information Forms and Statements of Inactivity, if applicable. Failure to submit required reports may result in administrative fines.

Please feel free to contact the Research & Analysis Unit at [wcsra@dir.nv.gov](mailto:wcsra@dir.nv.gov) if you have any questions or concerns and visit the [WCS website](#) or [Insurer-TPA Reporting](#) page for more information.

[Click Here to Sign up for Insurer / TPA Data Call Notifications](#)

## Notice of Intent to Act on Proposed Regulations & Agenda - LCB File R076-23

### Attention: Nevada Workers' Compensation Interested Parties

Please see the link below for the Notice of Hearing for Adoption of Regulation R076-23 to be held on October 1, 2024, at 2:00 p.m. The purpose of this regulation is to implement provisions from Senate Bill 274 and Assembly Bill 244 from the 2023 Nevada Legislative Session.

[Notice of Intent to Act on Proposed Regulations & Agenda - LCB File R076-23 \(nv.gov\)](#)

## Insurers Provider Lists

Insurers are to submit their provider lists to DIR/WCS via email to [medpanels@dir.nv.gov](mailto:medpanels@dir.nv.gov) by **October 1<sup>st</sup> of each year** per [NRS 616C.087\(6\)](#).

CARDS functionality that allows the insurers to enter their treating provider lists directly is not currently available. This functionality is estimated to go live in June 2025. WCS will communicate with insurers and TPAs when these functions are available, providing the due date to enter treating provider lists, and providing scheduled training. Thank you for your patience.

# CARDS CORNER

## TICKETS, TICKETS AND MORE TICKETS BEST PRACTICES FOR CLAIMS INDEXING

**Reporting a claim creates a ticket number.** Acceptance or Denial of claims must be reported within 30 days through the Claims and Regulatory Data Systems (CARDS) by submitting a D-38 form. **Additionally, any change in status, benefits, claim number or other correction to a claim should be reported as it occurs.** Once a D-38 is submitted, a ticket number will be created by CARDS. Use this number for reference and tracking.

**Verify policy information prior to submitting tickets.** All policy information listed in a ticket should match what is reported to NCCI. We commonly see errors listing the incorrect insurer according to the policy number listed in the ticket. Additionally, we see many errors listing the incorrect policy number because the policy number listed in the ticket has either extra numbers or letters or is not the full policy number as reported to NCCI.

**Verify the Date of Injury, C-4 Received Date and Date Accepted/Denied.** Make sure you have verified the Date of Injury, C-4 Received Date and Date Accepted/Denied are in chronological order. Another common error we see is the Date of Injury is mistakenly listed with the same date as the date of birth.

**Tickets returned for correction or rejected will have an explanation.** When a D-38 ticket is submitted through the CARDS portal, the ticket will show up on the dashboard of the submitter. The submitter should watch for status changes from “Pending” to “Returned for Correction” or “Rejected” and review any tickets returned or rejected. If returned for correction, the submitter will have 11 days to make the appropriate corrections and re-submit the ticket. If after 11 days the ticket has not been re-submitted with corrections, it will be rejected. If a ticket is rejected, a new ticket must be submitted with the updated information outlined in the explanation of the rejected ticket. If there were no issues with the ticket the status will show “Approved” when it has been processed.

**Please allow 3-5 days processing time for all tickets before submitting an inquiry.** Claims indexing inquiries may be submitted to [indexing@dir.nv.gov](mailto:indexing@dir.nv.gov). Please include the ticket number with your inquiry.

**Separate tickets are not always required.** If reporting a claim that is already closed, you do not have to submit separate opening and closing tickets. The information may be reported on one single ticket.

**Claims management with claim number changes.** If claims management will change from one TPA to another and the claim numbers for multiple claims will change, please email [indexing@dir.nv.gov](mailto:indexing@dir.nv.gov) for assistance.

**Please ensure tickets registering or updating claims using the D-38 form are submitted and processed before submitting a D-35 request.** The Medical Unit will reject a D-35 request if the ticket has not been processed by the Indexing Unit. They will also reject a D-35 request if information such as Body Parts or the insurance carrier does not match the existing CARDS record.

*Tricia Barchus, Research & Indexing Coordinator, WCS*



(September 2024 — November 2024)

# Top 5 Nature of Injury and Cause of Injury Workers' Comp Claims

*Nevada Claims Processed in CARDS between May 1, 2024 and July 31, 2024:*

TOP 5 ACCEPTED NATURE OF INJURY	Percent of Total Reported
1. Strain or Tear	24.50%
2. Laceration	13.52%
3. Contusion	11.94%
4. Sprain or Tear	11.17%
5. Puncture	6.61%

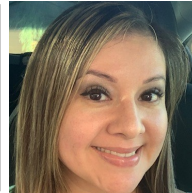
TOP 5 ACCEPTED CAUSE OF INJURY	Percent of Total Reported
1. Lifting	7.24%
2. Fall, Slip or Trip, NOC*	7.02%
3. Strain or Injury by NOC*	5.39%
4. Object Being Lifted or Handled	5.35%
5. Cut, Puncture, Scrape, NOC	4.95%

\* Not Otherwise Classified.



Let's welcome **Ashley Bennett** to the Workers' Compensation Section in Carson City as the Compliance Specialist RN in the Medical Unit! Ashley was born and raised in Texas, and she has lived in Nevada for ten years. She joined the State of Nevada in 2019, working for the Division of Health Care Financing and Policy as a member of the Katie Beckett Eligibility Option team. Ashley and her husband have two teenagers and two dogs, and she enjoys spending time with her family, hiking, and traveling.

Please join us and welcome **Diane Martinez** as the Compliance/ Audit Investigator II in the Las Vegas Workers Compensation Section office! Diane was born in California, but has lived in Las Vegas over 30 years. She was in the financial industry for over 22 years. In her last role, Diane was a supervisor for a major bank's Quality Assurance / Audit team for over 7 years . She enjoys traveling and exploring with her husband and two children. That can be challenging at times, but hey... who doesn't love an adventure?!



Let's also welcome **Nichole Toth** to the Workers' Compensation Section, Employer Compliance Unit (ECU) as the AA II. She recently transferred from DWSS and previously worked for a pawnshop as a Lead Pawnbroker and had been with that company for about 7 years before accepting a position with the State of Nevada. Nichole enjoys spending time with her adorable dog Tonka, fiancé and their friends usually having game nights or going out for sushi.

We are thrilled to welcome two new Compliance/Audit Investigators to our Workers' Compensation Employer Compliance Unit: **Dante Jackson** and **Monica Guzman**. Mr. Jackson joins the Employer Compliance Unit's Las Vegas office, bringing his valuable military experience and training from the U.S. Air Force. Ms. Guzman joins the Employer Compliance Unit in Carson City from the Department of Public and Behavioral Health. We are delighted to have you on board and wish you both great success in your new roles



Congratulations to **Marisa Santizo**, who was promoted to a Compliance Audit Investigator I in the Audit Unit in July 2024. Marisa joined DIR as the receptionist in December 2018. She was quickly promoted to be the administrative assistant to the Audit Unit in August 2019. In March 2022, she was promoted to be the Administrative Assistant IV for the Administrator, where she played a pivotal role in the agency, coordinating and collaborating with staff throughout DIR and in other departments. Marisa has shown herself to be highly dependable, organized, and efficient throughout her time at DIR. We are excited to see Marisa continue to grow her career in our agency and wish her the best for continued success!

Please join us in congratulating Cassandra “Sandra” Toleafoa on her promotion from Administrative Assistant II to Administrative Assistant III with the Employer Compliance Unit (ECU)! Originally from Honolulu, Hawaii, where she enjoys spending time with her family and exploring the “Ninth Island,” Sandra relocated to Las Vegas in November 2023. Despite the challenges of adapting to a new climate and environment, Sandra has excelled in her role during her first summer here. Initially part of a two-person support team for eight investigators, a supervisor, and a manager, Sandra quickly became the primary support for the unit. She has seamlessly transitioned into her expanded role, which now includes providing additional support to the Workers’ Compensation Section (WCS) reception and Medical Unit. Sandra’s contributions have been invaluable, and we eagerly anticipate her continued success and development in her new position.



Congratulations to Terry Simi on her June retirement, as well! Terry began her WCS journey as an Administrative Assistant III in the Education Unit in 2005. In 2014, she transitioned to the Audit Unit where she investigated complaints and performed insurer and TPA audits. In addition to becoming a seasoned auditor, Terry was known for her tenacious efforts to assist both our regulated community and injured workers alike, regularly going above and beyond in the normal course of her duties. She truly made a positive impact on her colleagues and the public. She will be missed!


**Check our website for upcoming WebEx training opportunities!**

**To register for WebEx Trainings:**  
<https://dir.nv.gov/WCS/Training/>  
 -or-  
**Email:**  
[WCSedutng@dir.nv.gov](mailto:WCSedutng@dir.nv.gov)

**Direct comments or suggestions about this newsletter to:**

**Workers’ Compensation Section  
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### Workers’ Compensation Email Addresses

<a href="mailto:WCSHelp@dir.nv.gov">WCSHelp@dir.nv.gov</a>	General workers’ compensation inquiries
<a href="mailto:CARDS@dir.nv.gov">CARDS@dir.nv.gov</a>	CARDS Portal inquiries
<a href="mailto:indexing@dir.nv.gov">indexing@dir.nv.gov</a>	Claim Indexing (D-38) inquiries
<a href="mailto:COLAS@dir.nv.gov">COLAS@dir.nv.gov</a>	Requests for reimbursement, verification, and COLA inquiries
<a href="mailto:WCSRA@dir.nv.gov">WCSRA@dir.nv.gov</a>	Insurer and TPA required reporting and related inquiries
<a href="mailto:WCSedutng@dir.nv.gov">WCSedutng@dir.nv.gov</a>	Training and Education inquiries and information regarding our Annual Workers’ Compensation Educational Conference
<a href="mailto:medunit@dir.nv.gov">medunit@dir.nv.gov</a>	Medical Unit inquiries, D-35 Form submission, C-4 Form submission (when requested), complaint submission, and billing appeals
<a href="mailto:medpanels@dir.nv.gov">medpanels@dir.nv.gov</a>	Health Care Provider contact information and/or address changes, applications for WCS Treating Panel
<a href="mailto:PPDreports@dir.nv.gov">PPDreports@dir.nv.gov</a>	PPD Report submissions
<a href="mailto:WCSAudit@dir.nv.gov">WCSAudit@dir.nv.gov</a>	General Audit inquiries
<a href="mailto:WCassessment@business.nv.gov">WCassessment@business.nv.gov</a>	Workers’ Compensation Safety Fund Assessment Reporting and inquiries

### Employment Opportunity with WCS

**COMPLIANCE COORDINATOR - RN**

